

PETITION FOR SPECIAL EXCEPTION 85-45-XSPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Elizabeth R. Baird
(Type or Print Name)
Signature
Elizabeth S. Palcho
(Type or Print Name)
Signature
1101 Hollins Lane 825-7097
Address
Baltimore, Maryland 21209
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Austin W. Brizendine, Jr.
Name 828-7100
Address 406 Jefferson Bldg. Towson, Md. 21204
City and State
Telephone No. 828-7100

Attorney for Petitioner:
Austin W. Brizendine, Jr.
(Type or Print Name)
Signature
406 Jefferson Building
Address
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Austin W. Brizendine, Jr.
Name 828-7100
Address 406 Jefferson Bldg. Towson, Md. 21204
City and State
Telephone No. 828-7100

ORDERED BY The Zoning Commissioner of Baltimore County, this 11th day of July, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of August, 1984, at 10:30 o'clock.

A.M.
RESCHEDULED:
Monday, September 10, 1984 at 10:15 A.M.

Zoning Commissioner of Baltimore County.

CERTIFICATION OF MAILING

I HEREBY CERTIFY that on this 20th day of June, 1985, a copy of the foregoing was mailed postage prepaid to Austin W. Brizendine, Jr., Esquire, 306 Worthington Road, Towson, Maryland 21204; Phyllis Cole Friedman, Esquire, People's Counsel Office, Court House, Towson, Maryland 21204; and Arnold Jablon, Zoning Commissioner, Office of Planning and Zoning, County Office Building, Towson, Maryland 21204.

cc: Clifford L. Hardwick, Esquire
Mrs. Jean K. Duvall

LAW OFFICES
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

-2-

FILED JUN 21 1985

PETITION FOR SPECIAL HEARING 85-45-XSPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.1 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a legal non-conforming use under Section 104 of the BCZR of the subject property as a service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Elizabeth R. Baird
(Type or Print Name)
Signature
Elizabeth S. Palcho
(Type or Print Name)
Signature
1101 Hollins Lane 825-7097
Address
Baltimore, Maryland 21209
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Austin W. Brizendine, Jr.
Name 828-7100
Address 406 Jefferson Building
Address
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Austin W. Brizendine, Jr.
Name 828-7100
Address 406 Jefferson Bldg. Towson, Md. 21204
City and State
Telephone No. 828-7100

Attorney for Petitioner:
Austin W. Brizendine, Jr.
(Type or Print Name)
Signature
406 Jefferson Building
Address
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Austin W. Brizendine, Jr.
Name 828-7100
Address 406 Jefferson Bldg. Towson, Md. 21204
City and State
Telephone No. 828-7100

ORDERED BY The Zoning Commissioner of Baltimore County, this 11th day of July, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of August, 1984, at 10:30 o'clock.

A.M.
RESCHEDULED:
Monday, September 10, 1984 at 10:15 A.M.

Zoning Commissioner of Baltimore County.

S.C.O.-No. 1

(over)

IN RE: PETITIONS SPECIAL EXCEPTION AND SPECIAL HEARING SE CORNER YORK ROAD AND STEVENSON LANE-9TH ELECTION DISTRICT ELIZABETH R. BAIRD, et al PETITIONERS

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 85-45-XSPH

NOTICE OF APPEAL

To the Commissioner:

Please enter an appeal on behalf of the Petitioners, Elizabeth S. Palcho and Elizabeth R. Baird, from the decision of the Zoning Commissioner in the above-entitled matter (Petition for Special Hearing only) denying a non-conforming use of the property as a service garage.

AUSTIN W. BRIZENDINE, JR.
Moore, Carney, Ryan & Brizendine
406 Jefferson Building
Towson, Maryland 21204
828-7100
Attorney for Petitioners
Elizabeth S. Palcho and
Elizabeth R. Baird

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of October, 1984 a copy of the foregoing was mailed to Bernard Brune, 619 Wilton Road, Baltimore, Maryland 21204, People's Counsel, Room 223, Court House, Towson, Maryland 21204 and Mrs. Jean Duvall, 227 Murdock Road Baltimore, Maryland 21212.

AUSTIN W. BRIZENDINE, JR.

CIRCUIT COURT FOR BALTIMORE COUNTY CIVIL GENERAL

DOCKET 10 PAGE 158 CASE NO. 85CG1432 CATEGORY APPEAL

IN THE MATTER OF THE APPLICATION OF ELIZABETH BAIRD, ET AL FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE S/E CORNER YORK AND STEVENSON LANE 9TH DISTRICT

ATTORNEYS

Austin W. Brizendine Jr.
306 Worthington Road
(04) 823-1414

JEAN K. DUVALL, C. EDWARD GLASSER, JR., J. HARVEY FAIT, ROBERT F. CARSON, II, JAMES WYMAN, MILTON M. CROOK
Protestant-Appellants

Newton A. Williams, C. Scott Barhight
Jolan, Plumhoff & Williams, Chd.
204 W. Penna. Ave. (4) 823-7800

BOARD OF APPEALS OF BALTIMORE COUNTY

- (1) May 8, 1985 Protestant-Appellants' Appeal from Opinion & Order of the Board of Appeals of Baltimore County fd.
- (2) May 9, 1985 - Certificate of Notice fd.
- (3) May 16, 1985 Protestant-Appellants' Petition fd.
- (4) June 5, 1985 - App of Austin W. Brizendine Jr. as attorney for the Appellees fd, and same day Answer fd.

COSTS
CV GEN: 851433 \$
CV CLK: 70.00
B LRY: 5.00
CACHED: 75.00
#37393-0001 R02 T14-43
05/08/85

CV GEN: 851433 \$
CV CLK: 5.00
B LRY: 5.00
POST: 5.00
CACHED: 12.00
#41614 C001 R02 T16-43
06/20/85

RECEIVED
COUNTY BOARD OF APPEALS
R3 JUN 25 P 2 49

IN THE MATTER OF THE APPLICATION OF ELIZABETH R. BAIRD, ET AL FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE, AND SPECIAL HEARING TO DETERMINE A NONCONFORMING USE AS A SERVICE GARAGE SE CORNER YORK ROAD AND STEVENSON LANE 9TH DISTRICT

CASE NO. 85-45-XSPH

JEAN K. DUVALL, ET AL

Plaintiffs

DISMISSAL BY PROTESTANT - APPELLANTS

MR. CLERK:

Please dismiss the appeal, with prejudice, of the above action on behalf of the Protestant - Appellants, Jean K. Duvall, C. Edward Glasser, Jr., J. Harvey Fait, Robert F. Carson, II, James Wyman and Milton M. Crook.

PAID
ELMER H. KAHLER, JR.
PER [Signature]

FILED JUN 21 1985

DOCKET 10 PAGE 168 CASE NO. 85 CG- 1438

FILING OR RECORDING OF DOCUMENTS

In Re: Petitions Special Exception and Special Hearing SE Corner York Road and Stevenson Lane - Baird, et al
The following documents are enclosed for filing or recording with your office.
Notice of Appeal

☐ Charge our account for fees ☐ Check enclosed to cover fee.

TO Zoning Commissioner of Baltimore County

MOORE, HENNEGAN, CARNEY & RYAN
Attorneys at Law
406 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 134334
DATE 9/11/84 ACCOUNT R-01-615-000
AMOUNT \$67.92
RECEIVED FROM Austin W. Brizendine, Jr., Esquire
FOR 2nd advertising & posting Case 85-45-XSPH (Elizabeth R. Baird, et al)
\$ 035*****6792** 812af
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 130590
DATE 6-14-84 ACCOUNT 2-01-615-000
AMOUNT 207.00
RECEIVED FROM [Signature]
FOR [Signature]
\$ 083*****206000 812af
VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
SE Corner York Rd. and :
Stevenson Lane, 9th District :
ELIZABETH R. BAIRD, et al., : Case No. 85-45-XSPH
Petitioners :

ORDER FOR APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of September 19, 1984, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

OCT 18 AM

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on the 17th day of October, 1984, a copy of the foregoing Order for Appeal was mailed to Austin W. Brizendine, Jr., Esquire, 406 Jefferson Building, Towson, MD 21204, Attorney for Petitioner; Mrs. Jean Duvall, 227 Murdock Road, Baltimore, MD 21212, and Mr. Bernard Brune, 619 Wilton Road, Towson, MD 21204, Protestants.

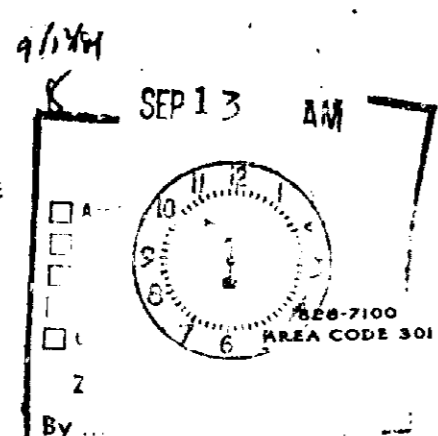
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 135824
DATE Oct. 23, 1984 ACCOUNT R-01-615-000
AMOUNT \$80.00
RECEIVED FROM Austin W. Brizendine, Jr., Esquire
FOR Filing Fee for Appeal of Case 85-45-XSPH (Elizabeth R. Baird, et al)
\$ 051*****8000 812af
VALIDATION OR SIGNATURE OF CASHIER

207 24 905

95634
R. SCOTT MOORE
ROBERT E. CARNEY, JR.
ROBERT J. ROSE
AUSTIN W. BRIZENDINE, JR.

MOORE, CARNEY, RYAN & BRIZENDINE
ATTORNEYS AT LAW
406 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204-4772

September 11, 1984



Office of Zoning Commissioner
of Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 346
Case No. 85-45-XSPH
Corner York Road and Stevenson Lane
ELIZABETH R. BAIRD, et al

Gentlemen:

Please file the enclosed Affidavit of Private Process Server in the above-entitled file. The hearing has already been held, and I neglected to give it to Mr. Jablon at that time. Thank you.

Very truly yours,

Austin W. Brizendine, Jr.
Austin W. Brizendine, Jr.

AWB:jjw

enclosure

AFFIDAVIT OF PRIVATE PROCESS SERVER

I, Austin W. Brizendine, Jr., swear and affirm under the penalties of perjury that I hand-delivered the attached summons to John Brown, known personally to me, on September 4, 1984 at Dumbarton Auto Repair, York Road and Stevenson Lane, Towson, Maryland 21204. I further certify that I am 18 years of age or older, competent to be a witness and am not a party to the action for which the summons was issued.

Austin W. Brizendine, Jr.
AUSTIN W. BRIZENDINE, JR.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133218

DATE: 8/17/84 ACCOUNT: R-01-615-000

AMOUNT: \$55.27

RECEIVED FROM: Austin W. Brizendine, Jr., Esquire

FOR: advertising and posting Case 85-45-XSPH

3 132*****552716 5086F

VALIDATION OR SIGNATURE OF CARRIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

July 26, 1984

Austin W. Brizendine, Jr., Esquire
406 Jefferson Building
Towson, Maryland 21204

Re: Petitions for Special Exception & Special Hearing
SE/cor. York Road and Stevenson Lane
Elizabeth R. Baird, et al - Petitioners
Case No. 85-45-XSPH

Dear Mr. Brizendine:

Please be advised that your request for a postponement of the subject case has been granted. You are responsible for the advertising and posting costs, in the amount of \$55.27, which is due upon receipt of this letter. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204. Upon the rescheduling of the hearing, a subsequent bill will be issued for the second advertising and posting costs incurred.

If this postponement was due to a previous court assignment, please submit a copy of the assignment to this office for our file. You will be notified in writing of a rescheduled hearing date.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:aj



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 7, 1984

Austin W. Brizendine, Jr., Esquire
406 Jefferson Building
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception
SE/cor. York Road and Stevenson Lane
Elizabeth R. Baird, et al - Petitioner
Case No. 85-45-XSPH (Item #346)

Dear Mr. Brizendine:

This is to advise you that \$67.92 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:aj

July 17, 1984

Austin W. Brizendine, Jr., Esquire
406 Jefferson Building
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petitions for Special Exception and Special Hearing
SE/cor. York Rd. & Stevenson Lane
Elizabeth R. Baird, et al - Petitioners
Case No. 85-45-XSPH

TIME: 10:30 A.M.

DATE: Tuesday, August 14, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

August 8, 1984

Austin W. Brizendine, Jr., Esquire
406 Jefferson Building
Towson, Maryland 21204

**RESCHEDULED
NOTICE OF HEARING**

Re: Petitions for Special Exception & Special Hearing
SE/cor. York Road and Stevenson Lane
Elizabeth R. Baird, et al - Petitioners
Case No. 85-45-XSPH

TIME: 10:30 A.M.

DATE: Monday, September 10, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 25, 1984

Mrs. Jean Duvall
227 Murdock Road
Baltimore, Maryland 21212

Mr. Bernard Brune
619 Wilton Road
Towson, Maryland 21204

RE: Petition for Special Exception
and Special Hearing
SE/cor. York Road and
Stevenson Lane
Elizabeth R. Baird, et al - Petitioners
Case No. 85-45-XSPH

Dear Mrs. Duvall and Mr. Brune:

Please be advised that the following appeals have been filed from the decision rendered by the Zoning Commissioner of Baltimore County, in the above referenced matter:

1. Appeal from Austin W. Brizendine, Jr., Esquire, Counsel for the Petitioners (appealing Special Hearing only)
2. Appeal from Phyllis C. Friedman, Esquire, People's Counsel

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:eah

cc: Austin W. Brizendine, Jr., Esquire, 406 Jefferson Bldg., Towson, MD 21204
Phyllis C. Friedman, People's Counsel



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180
November 16, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 85-45-XSPH

ELIZABETH R. BAIRD, ET AL

SE/cor. York Rd. and Stevenson Ln.

9th District

SE-Service garage

SPH-Nonconforming use as a service garage

2/19/84 - Z.C.'s Order - GRANTED w/restrictions

ASSIGNED FOR:
CONTINUED ON:
cc: Elizabeth R. Baird, et al

THURSDAY, FEBRUARY 7, 1985, at 10 a.m.
TUESDAY, FEBRUARY 13, 1985 at 2 a.m.
Petitioners

Austin W. Brizendine, Jr., Esq.

Counsel for Petitioners

Mrs. Jean Duvall

Protestant

Mr. Bernard Brune

"

Douglas M. Brown

"

Phyllis C. Friedman

People's Counsel

N. E. Gerber

J. Hoswell

Arnold Jablon

Jean Jung

James Dyer

CONTINUATION ANNOUNCED AT HEARING - NO NEED FOR WRITTEN NOTICES

June Holmen, Secretary



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

January 29, 1985

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Elizabeth R. Baird, et al., Petitioners
Zoning Case No. 85-45-XSPH (Item 346)

Dear Chairman Hackett:

Please issue a summons to Michael S. Flanigan, Assistant Traffic Engineer, to appear and testify in the above case on Thursday, February 7, 1985, at 10:00 a.m.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

COST \$5.00

SUMMONED 1-30 1985

NOT SERVED 19

REASON NOT SERVED

Mr. Sheriff:

Please issue this summons.

SHERIFF
OF BALTIMORE COUNTY
J. EDWARD MALONE

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

RECEIVED
COUNTY BOARD OF APPEALS
FEB 29 1985

January 11, 1985

Peggy Williams, Vice-President
The Knollwood-Donnybrook Improvement Assn.
907 Rappax Court
Towson, MD 21204

Re: Case #85-45-XSPH
Elizabeth R. Baird, et al

Dear Ms. Williams:

Replying to your letter of January 9, 1985, please be advised that we have no forms for the purpose you stated. The authorizations required may be submitted with the necessary information outlined on plain paper.

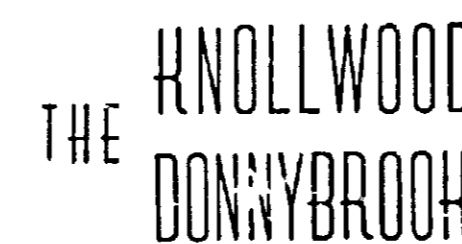
I understand from Mrs. Hess of the People's Counsel's office that she has sent you samples of resolutions and affidavits which may be used by your association as a guideline. I am enclosing herewith a copy of Bill #59-79 which includes Rule 2 (Special rule pertaining to persons appearing before the board as representatives of civic or improvement associations) of the Rules of Practice and Procedure of the County Board of Appeals.

I trust this information will be of help to you.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosure



The Knollwood-Donnybrook Improvement Association, Inc.

Vice-President
Peggy Williams

Towson 4, Maryland

Date January 9, 1985

County Board of Appeals
Room 200
Court House
Towson, MD 21204

Re: Case 85-45-X SPH

Dear Sir or Madam:

The Board of Directors of the Knollwood-Donnybrook Improvement Association has discussed the requested change in zoning at the southeast corner of York and Stevenson Lane.

The Board has authorized me to express our disapproval of this change in zoning which we believe would result in additional traffic in an already busy and dangerous intersection.

Representatives from our Association plan to attend the meeting on February 7 and would like to be supplied with the forms necessary for authorized attendance at this hearing.

It is important that these forms be available by January 16 as we have a Board meeting scheduled on that date. If there is not sufficient time for these forms to reach us by mail, please call me at 321-6274 and I will arrange to pick them up.

Sincerely,

Peggy Williams
Peggy Williams
Knollwood-Donnybrook Improvement Association

RECEIVED
COUNTY BOARD OF APPEALS
FEB 11 1985



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

March 29, 1985

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

Dear Chairman Hackett:

It has come to our attention that the Zoning Commissioner has entered his appearance in the following cases:

Christian B. Anderson, et ux - #85-170-SPH (Item 116)
Elizabeth R. Baird, et al - 85-45-XSPH (Item 346)
Vincent Bertucci, et ux - 85-183-A (Item 132)
Chesapeake Fed. S & L - 85-187-A (Item 131)
Mary M. Clark - 84-311-A (Item 249)
David L. Cole, et ux - 85-2-XA (Item 230)
Eastern Yacht Club, Inc. - 85-73-SPH (Item 337)
Hauesser Family Ltd. Ptnr. - 85-83-SPHA (Item 127)
Johnson, Robert W., III - 85-185-X (Item 124)
Kabic, Melvin - 85-208-XSPH (Item 154)
McManus-Torillo Assoc., Inc. - 85-189-X (Item 127)
The Rock Rental Co. - 85-186-X (Item 115)
Joseph H. Rosendale, et ux - 85-157-XA (Item 102)
Louis E. Tarasca, et ux - 85-232-X (Item 146)
Towson Presbyterian Church - 85-176-SPH (Item 93)

As a result of the decision in Carol Dome, et al - #85-106-SPH (Item 133), it is clear that the Zoning Commissioner has no standing and his appearance should be struck. Please consider this letter as a Motion to Strike the Zoning Commissioner's appearance in each of the above cases. We are enclosing a copy of this letter/motion for each file.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: Norman E. Gerber
Arnold Jablon, Esquire
Malcolm F. Spicer, Jr., Esquire
Douglas T. Sachse, Esquire

PMZ:sh

RECEIVED
COUNTY BOARD OF APPEALS
FEB 29 1985

11/16/84 - Following were notified of hearing set for Thurs. Feb. 7, '85, at 10 a.m.:

Eliz. Baird, et al
Austin Brizendine, Jr.
Jean Duvall
Bernard Brune
Douglas Brown
P. Friedman
N. Gerber
J. Howell
A. Jablon, J. Jung, J. Dyer

2/7/85 - CASE CONTINUED IN OPEN HEARING FOR TUESDAY, FEBRUARY 12, 1985 at 9 a.m.

IN RE: PETITION FOR SPECIAL EXCEPTION
AND SPECIAL HEARING
SE/corner York Road and
Stevenson Lane - 9th Election
District

Elizabeth R. Baird, et al

Petitioners

* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY
* Case No. 85-45-XSPH
*

Entry of Appearance

Please enter my appearance as a party in the above captioned matter, pursuant to Section 501.6, B.C.Z.R., and I hereby request that any and all notices be forwarded to my office, including but not limited to hearing dates and/or preliminary or final Orders.

Arnold Jablon
Arnold Jablon
Zoning Commissioner of Baltimore
County
Room 109 - 111 West Chesapeake Avenue
Towson, Maryland 21204
494-3353

Certificate of Mailing

IT IS HEREBY CERTIFIED that on this 25th day of October 1984, copies of the foregoing Entry of Appearance were mailed, postage prepaid, by first class delivery to the County Attorney of Baltimore County, People's Counsel for Baltimore County, Petitioner(s) and/or Protestants in the above captioned matter.

Arnold Jablon
Arnold Jablon

Case No. 85-45-X
Item No. 346
Date: October 18 and 19, 1984

SE/cor York Road and
Stevenson Lane
9th Election District
Elizabeth R. Baird, et al

- ☒ 1. Copy of Petition
- ☒ 2. Copy of Description of Property
- ☒ 3. Copy of Certificate of Posting (1 sign)
- ☒ 4. Copy of Certificates of Publication
- ☒ 5. Copy of Zoning Advisory Committee Comments
- ☒ 6. Copy of Comments from the Director of Planning
- ☒ 7. Planning Board Comments and Accompanying Map
- ☒ 8. Copy of Order to Enter Appearance
- ☒ 9. Copy of Order - Zoning Display Zoning Commissioner
- ☒ 10. Copy of Plat of Property
- ☒ 11. 200' Scale Location Plan
- ☒ 12. 1000' Scale Location Plan
- ☒ 13. Memorandum in Support of Petition
- ☒ 14. Letter(s) from Protestants
- ☒ 15. Letter(s) from Petitioner(s)
- ☒ 16. Protestants' Exhibits 1 to
- ☒ 17. Petitioners' Exhibits 1 to 2
- ☒ 18. Letters of Appeal
- ☒ 19. Additional comments from Zoning Advisory Committee
- ☒ 20. Affidavit of Private Process Server on behalf of the Petitioners

Elizabeth R. Baird, et al
1101 Hollins Lane
Baltimore, Maryland 21209

Petitioners

Austin W. Brizendine, Jr., Esquire
406 Jefferson Building
Towson, Maryland 21204

Attorney for the
Petitioners

Mrs. Jean Duvall
227 Mardock Road
Baltimore, Maryland 21212

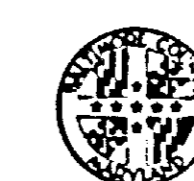
Protestant

Mr. Bernard Brune
619 Wilton Road
Towson, Maryland 21204

Protestant

Phyllis C. Friedman, Esquire
Norman E. Gerber
James Howell
Arnold Jablon
Jean M.H. Jung
James E. Dyer

People's Counsel
Request Notification
"
"
"
"



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
May 9, 1985

Austin W. Brizendine, Jr., Esquire
306 Worthington Road
Towson, MD 21204

Re: Case No. 85-45-XSPH
Elizabeth R. Baird, et al

Dear Mr. Brizendine:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosures

cc: Elizabeth R. Baird, et al
Mr. Bernard Brune
Phyllis Cole Friedman
Douglas M. Brown
Ms. Peggy Williams

IN THE MATTER OF THE APPLICATION OF ELIZABETH BAIRD, ET AL. FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE S/E CORNER YORK ROAD AND STEVENSON LANE 9TH DISTRICT

BEFORE THE BOARD OF APPEALS OF BALTIMORE COUNTY

85 CG 1433

10 - 168

No. 85-45-SPH

ORDER FOR APPEAL BY PROTESTANT-APPELLANTS

Mr. Clerk:

Please enter an appeal, pursuant to Rule B2, on behalf of Jean K. Duvall, 227 Murdock Road, Baltimore, Maryland 21212; C. Edward Glasco, Jr., 143 Stevenson Lane, Baltimore, Maryland 21212; J. Harvey Folt, 508 Stevenson Lane, Baltimore, Maryland 21212; Robert F. Carson, II, 905 Greenleigh Road, Baltimore, Maryland 21212; James Wyman, 506 Wilton Road, Baltimore, Maryland 21204; and Milton M. Crook, 505 Stevenson Lane, Baltimore, Maryland 21204, Protestant-Appellants, from the Opinion and Order of the Board of Appeals of Baltimore County, passed in the above case on April 9, 1985.

The undersigned certifies that on May 8, 1985, a copy of this Order for Appeal was served on the Board of Appeals of Baltimore County prior to the filing of this Order for Appeal.

Newton A. Williams
Newton A. Williams

LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

G. Scott Barhight

Nolan, Plumhoff & Williams, Chartered
204 West Pennsylvania Avenue
Towson, Maryland 21204
(301) 623-7800

Attorneys for Protestant-Appellants

I HEREBY CERTIFY that on this 8th day of May, 1985, that a copy of the foregoing Order for Appeal by Protestant-Appellants was mailed postage prepaid, to Austin W. Brizendine, Jr., Esquire, 406 Jefferson Building, Towson, Maryland 21204, attorney for Petitioner-Appellee; and to Thomas J. Bollinger, Esquire, Office of Law.

G. Scott Barhight

LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

CSB/tms
5/8/85

RECEIVED
COUNTY BOARD OF APPEALS
MAY 16 8 12 53

- 2 -

MOORE, CARNEY, RYAN & BRIZENDINE
ATTORNEYS AT LAW
406 JEFFERSON BUILDING
105 WEST CHEAPFARE AVENUE
TOWSON, MARYLAND 21204-4772

828-7100
AREA CODE 301

November 15, 1984

2 SCOTT MOORE
ROBERT S. CARNEY, JR.
ROBERT J. RYAN
AUSTIN W. BRIZENDINE, JR.

County Board of Appeals
Room 200
Courthouse
Towson, Maryland 21204

RE: Petitions Special Exception and Special Hearing S/E Corner York Road and Stevenson Lane 9th Election District Elizabeth R. Baird, et al Petitioners Before the Zoning Commissioner Case No. 85-45-XSPH

Gentlemen:

Please schedule a hearing date on the above-entitled matter.

Thank you for your attention to the above.

Very truly yours,

Austin W. Brizendine, Jr.

AWB:jw

cc: Arnold Jablon, Zoning Commissioner
Bernard Brune, Esquire
People's Counsel
Mrs. Jean Duvall

RECEIVED
COUNTY BOARD OF APPEALS
MAY 16 10 50

IN THE MATTER OF ELIZABETH R. BAIRD, ET AL., FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE, AND SPECIAL HEARING TO DETERMINE A NONCONFORMING USE AS A SERVICE CHARGE SE CORNER YORK ROAD AND STEVENSON LANE 9TH DISTRICT

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

CG DOCKET NO. 10

FOLIO NO. 168

FILE NO. 85-CG-1433

JEAN K. DUVALL, ET AL.,
Protestant-Appellants.

PETITION OF PROTESTANT - APPELLANTS

Jean K. Duvall, et al., Protestant - Appellants, by Newton A. Williams, G. Scott Barhight, and Nolan, Plumhoff & Williams, Chartered, their attorneys, pursuant to Rule B.2.e. petitions the Court regarding the April 9, 1985 Opinion and Order of the County Board of Appeals of Baltimore County and says:

1. By Opinion and Order dated April 9, 1985 (the "Order"), the County Board of Appeals of Baltimore County ("the Board") granted the requested special exception for a service garage subject to certain restrictions.

2. The Protestant - Appellants submit that the Board's Order is erroneous in that:

A. The Board's findings of fact relative to the traffic issues are not supported by the evidence,

LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

B. The Board's findings of fact relative to Baltimore County Zoning Regulations, Section 502.1. a., b., c., e., and g. are not supported by the evidence,

C. The Board's legal decision is not supported by its findings of fact, and

D. The Board's decision is illegal, invalid, arbitrary and capricious.

WHEREFORE, Protestant - Appellants petition this Court to reverse the Board's Order of April 9, 1985 and grant the Protestant - Appellants such other and further relief as their cause may require.

Respectfully submitted,

Newton A. Williams

G. Scott Barhight

Nolan, Plumhoff & Williams,
Chartered
204 West Pennsylvania Avenue
Towson, Maryland 21204
301/823-7800

ATTORNEYS FOR PROTESTANT - APPELLANTS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Petition of Protestant - Appellants were mailed first class, postage prepaid to Austin W. Brizendine, Jr., Esquire, 306 Worthington

- 2 -

LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

Room, Towson, Maryland 21204, Thomas J. Bollinger, Esquire, Office of Law for Baltimore County, 2nd Floor, Court House, Towson, Maryland 21204, and Ms. Edith T. Eisenhart, Administrative Secretary, County Board of Appeals of Baltimore County, Room 200 Court House, Towson, Maryland 21204.

Dated: May 16, 1985.

G. Scott Barhight

LAW OFFICE
NOLAN, PLUMHOFF
& WILLIAMS,
CHARTERED

RECEIVED
COUNTY BOARD OF APPEALS
MAY 17 10 29

- 3 -

May 9, 1985

FILED TO: Newton A. Williams, Esquire and G. Scott Barhight, Esquire
204 W. Pennsylvania Avenue
Towson, MD 21204

Cost of certified copies of documents
filed in Case No. 85-45-XSPH \$ 33.00

Elizabeth R. Baird, et al
SE corner York Road and
Stevenson Lane
9th District

MAKE CHECKS PAYABLE TO: BALTIMORE COUNTY, MARYLAND

REMIT TO: COUNTY BOARD OF APPEALS
Room 200 COURTHOUSE
TOWSON, MD 21204

IN THE MATTER OF ELIZABETH R. BAIRD, ET AL FOR SPECIAL EXCEPTION FOR A SERVICE GARAGE, AND SPECIAL HEARING TO DETERMINE A NONCONFORMING USE AS A SERVICE GARAGE SE CORNER YORK ROAD AND STEVENSON LANE 9TH DISTRICT

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

AT LAW

CG DOCKET NO. 10

FOLIO NO. 168

FILE NO. 85-CG-1433

JEAN K. DUVALL, ET AL
PLAINTIFFS

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Keith S. Franz, LeRoy B. Spurrier and Diana K. Vincent, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Elizabeth R. Baird, et al, 1101 Hollins Lane, Baltimore, MD 21209, Petitioners, and Austin W. Brizendine, Jr., Esquire, 306 Worthington Road, Towson, MD 21204, Attorney for the Petitioners, and Newton A. Williams, Esquire and G. Scott Barhight, Esquire, 204 West Pennsylvania Avenue, Towson, MD 21204, Attorneys for the Protestants-Appellants, and Mrs. Jean Duvall, 227 Murdock Road, Baltimore, MD 21212 and Mr. Bernard Brune, 619 Wilton Road, Towson, MD 21204, Protestants, and Douglas M. Brown, 1905 Haver Hill Road, Baltimore, MD 21234, and Ms. Peggy Williams, Vice President, Knollwood-Dom vrbrook Improvement Association, 907 Rappahannock Court, Towson, MD 21204, and Phyllis Cole Friedman, Esquire, Room 223 Courthouse, Towson, MD 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

ELIZABETH BAIRD - 10/16/85-CG-1433

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County
Room 200, Courthouse, Towson, MD 21204
494-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Elizabeth R. Baird, et al, 1101 Hollins Lane, Baltimore, MD 21209, Petitioners, and Austin W. Brizendine, Jr., Esquire, 376 Worthington Road, Towson, MD 21204, Attorney for the Petitioners, and Newton A. Williams, Esquire and G. Scott Barhight, Esquire, 204 West Pennsylvania Avenue, Towson MD 21204, Attorneys for the Protestants-Appellants (Plaintiffs), and Mrs. Jean Duval, 227 Murdock Road, Baltimore, MD. 21212 and Mr. Bernard Brune, 619 Wilton Road, Towson, MD 21204, Protestants, and Douglas M. Brown, 1905 Haver Hill Road, Baltimore, MD 21234, and Ms. Peggy Williams, Vice President, Knoll-wood-Donnybrook Improvement Association, 907 Rappaix Court, Towson, MD 21204, and Phyllis Cole Friedman, Esquire, Room 223 Courthouse, Towson, MD 21204, People's Counsel for Baltimore County, on this 9th day of May, 1985.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

cc: Zoning - A. January
Planning - J. Roswell



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
May 9, 1985

Newton A. Williams, Esquire
G. Scott Barhight, Esquire
204 W. Pennsylvania Ave.
Towson, MD 21204

Re: Case No. 85-45-XSPH
Elizabeth R. Baird, et al

Dear Sirs:

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court. Also enclosed is an invoice covering the cost of certified copies of necessary documents which must be included in this file. Please remit as indicated on invoice.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Enclosures

cc: Jenn Duval, et al

ELIZABETH R. BAIRD, ET AL

#85-45-XSPH

July 11, 1984 Petition filed
Sept. 1, ZC GRANTED SE, w/restrictions
Oct. 18 Order for Appeal filed with C.B. of A.
Apr. 9, 1985 Board GRANTED SE, w/ restrictions - No conclusion as to the nonconforming use status of the operation being conducted on the subject property.
May 8 Order for Appeal filed in the Circuit Court for Baltimore County (File #85-CG-1433)
" 9 Certificate of Notice sent to all interested parties
NOT FILED IN COURT AS APPELLANTS DID NOT ORDER TRANSCRIPT OF TESTIMONY AND TIME EXPIRED
June 21 Dismissal of appeal filed in the Circuit Court on behalf of Protestants-Appellants and case DISMISSED.

Board of Appeals
Case # 8545xspH

I strongly disagree with the current plans to bring a (Speedy, Jiffy) tune up shop to the corner of York Road and Stevenson Lane. This will only add confusion to an already busy intersection.

I would like to be notified when the hearing will take place so I can express my concerns.

Thank you
Douglas M. Brown
Douglas M. Brown
1905 Haver Hill Rd.
Baltimore MD. 21234

RECEIVED
COUNTY BOARD OF APPEALS
MAY 13 AM 10

RECEIVED
COUNTY BOARD OF APPEALS
MAY 12 AM 10

85-45-XSPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 11th day of July, 1984.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner
Petitioner: Elizabeth R. Baird, et al Received by *Nicholas B. Commodari*
Attorney: Austin W. Brizendine, Esq. Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 30, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Austin W. Brizendine, Esquire
406 Jefferson Building
Towson, Maryland 21204

RE: Item No. 346 - Case No. 85-45-XSPH
Petitioner - Elizabeth R. Baird, et al
Special Hearing & Special Exception

Dear Mr. Brizendine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman, Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

July 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 346 (1983-1984)
Property Owner: Elizabeth R. Baird, et al
Location: SE/Cor. York Road and Stevenson Lane
Acres: 0.33 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utilities improvements are not directly involved. All improvements, intersections, entrances, drainage requirements and construction affecting York Road (MD 45) right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Stevenson Lane, an existing public road, is proposed to be further improved in the future with highway right-of-way widening and a fillet area for sight distances required at the York Road intersection, generally as shown on the submitted plan (per J.O. 5-286-23).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 346(1983-1984).

Very truly yours,

Gilbert S. Benson
GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:FWR:m

cc: John J. Trenner
KY-N-W-W
PS-32 N.E. 2
TP-N.E. 8-A
TX-70



Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
Hal Kassoff
Acting Administrator

July 2, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 6-26-84
Item: #346.
Property Owner: Elizabeth R. Baird, et al
Location: SE/Cor. York Road Route 45, and Stevenson Lane
Existing Zoning: B.L.-CNS
Proposed Zoning: Special Hearing to approve a non-conforming use for a service garage and Special Exception for service garage.
Acres: 0.33
District: 9th

Dear Mr. Jablon:

On review of the submittal of 6-5-84 and field inspection, the State Highway Administration offers the following comments.

If the sight is found to be a non-conforming use for service garage, all existing conditions along the frontage of York Road (Route 45) can remain unchanged.

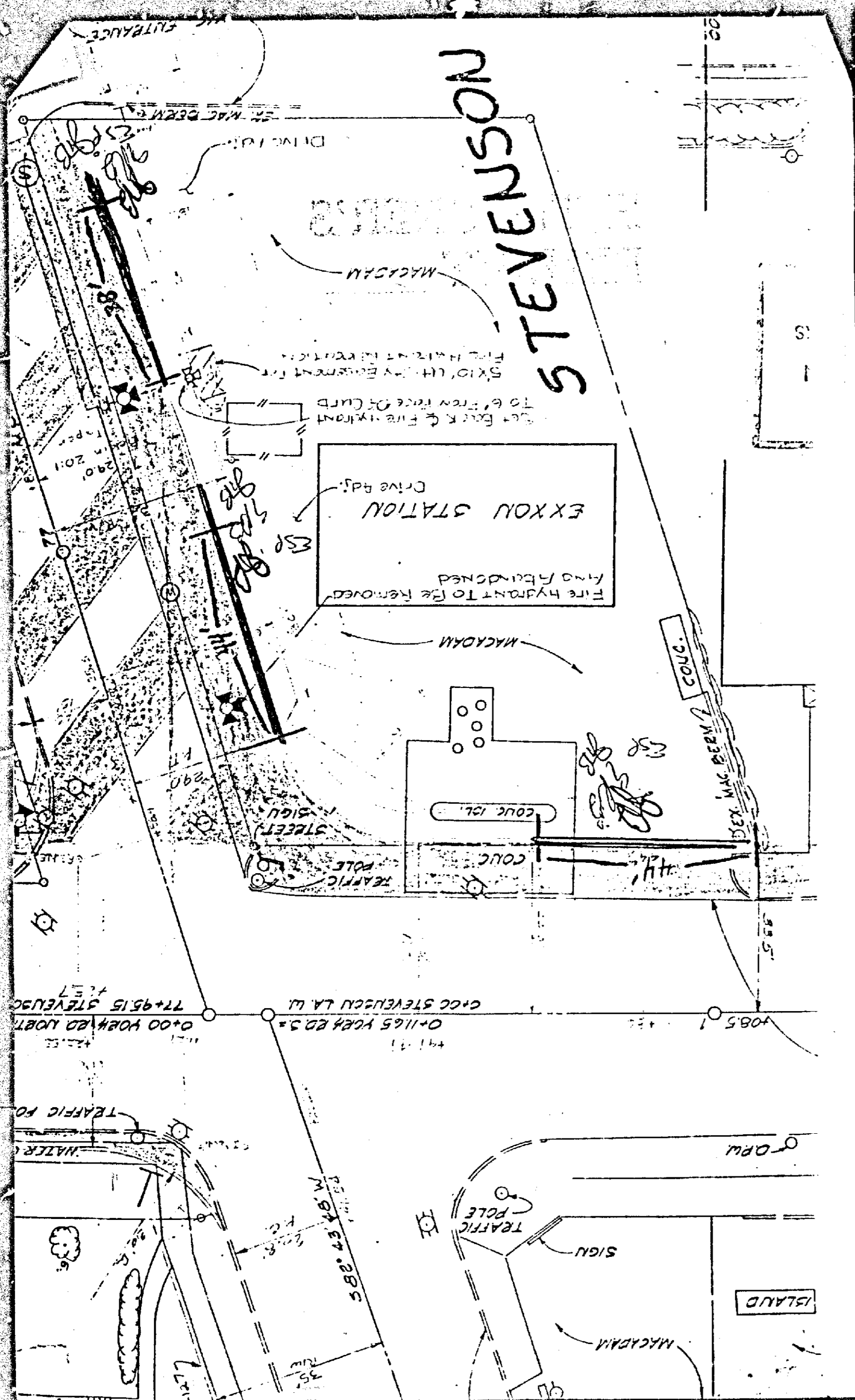
If the Special Hearing finds the site does not enjoy a non-conforming use, improvements to the York Road frontage must be constructed to meet existing State Highway Administration improvements for access.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits

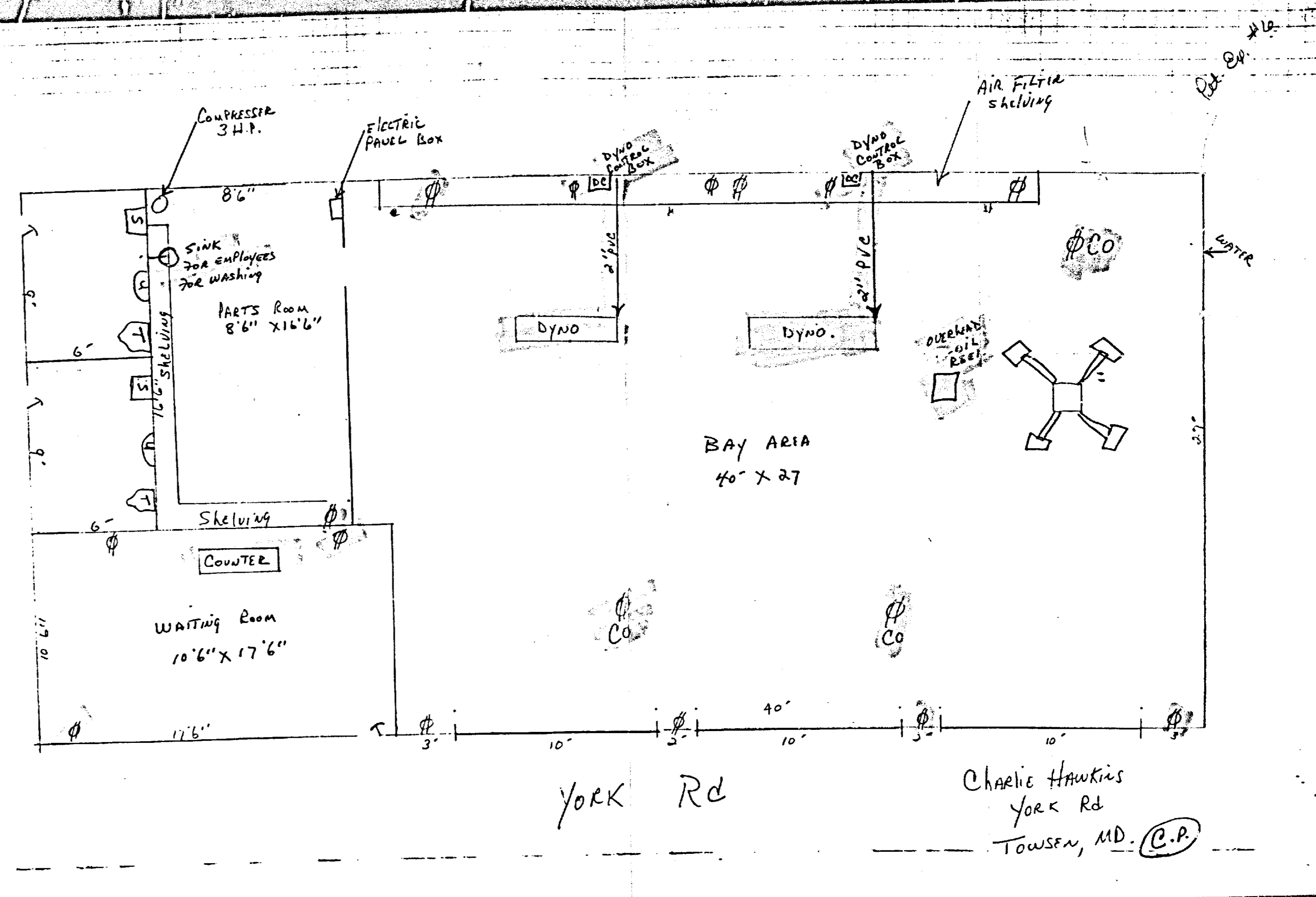
CL:GW:maw

cc: Mr. J. Ogle (301) 658-1350
My telephone for impaired hearing or speech By: George Wittman
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



PETER WACHTEN 8 SKIMMERE ST. TOWSON 337-2889
 M. JACK McDONALD 7108 HEATHFIELD RD 821-8598
 Stanley S. Weber 302 Cedar Run Place 747-7660
 John W. Weber 250 Stevenson Lane 21204
 Robert Brown 1905 Haverhill Pl. 21234
 MILTON CROOK 505 Stevenson Lane 21204
 J. Harvey Stot - 51 Stevenson Lane - 21204
 An Abshaufel representing Stouffville Community Assoc
 871 Wellington Rd 21212 377-8380

Part 1



Charlie Hawkins
 York Rd
 Towson, MD. (C.P.)

- Petitioner's Exhibit No. 1 - A & B - Baltimore County and State of Maryland Traffic Count
- " " " 2 - Qualifications - John W. "Wea" Guckert
 - " " " 3 - Plan showing changes on site and access from Stevenson Lane, 6/26/84 - sent to zoning
 - " " " 4 - Plat prepared by Baltimore County Dept. of Public Works, 4/12/84 - zoning
 - " " " 5 - Qualifications of Hugh E. Gelston
 - " " " 6 - Plat of proposed site initiated C.P. - colored in green - zoning
 - " " " 7 - Plat showing revision of parking spaces and additional spaces, 6/29/84 - zoning
- #1, 2 & 5 returned to Petitioner's Attorney

85-45-XSPH

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9th Date of Posting: 9/13/84
 Posted for: Elizabeth Baird, et al.
 Petitioner: Elizabeth Baird, et al.
 Location of property: SE corner York Rd & Stevenson Lane
 Location of Signs: on property facing Stevenson Lane
 Remarks: 11/16/84 to 11/18/84
 Posted by: Elizabeth Baird, et al. Date of return: 9/23/84
 Number of Signs: 2

20321 P50-215
CERTIFICATE OF PUBLICATION
 85-45-XSPH

Towson, Md. 8/20 1984

THIS IS TO CERTIFY that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for _____ consecutive weeks, the first publication appearing on the _____ day of _____ 1984.

The TOWSON TIMES
 M. Angello
 Cost of Advertisement: \$30.74

CERTIFICATE OF PUBLICATION
 TOWSON, MD. July 26, 1984

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 26, 1984.

THE JEFFERSONIAN,
 B. Venturi
 Publisher

2400

85-45-XSPH
CERTIFICATE OF PUBLICATION
 TOWSON, MD. August 23, 1984

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 23, 1984.

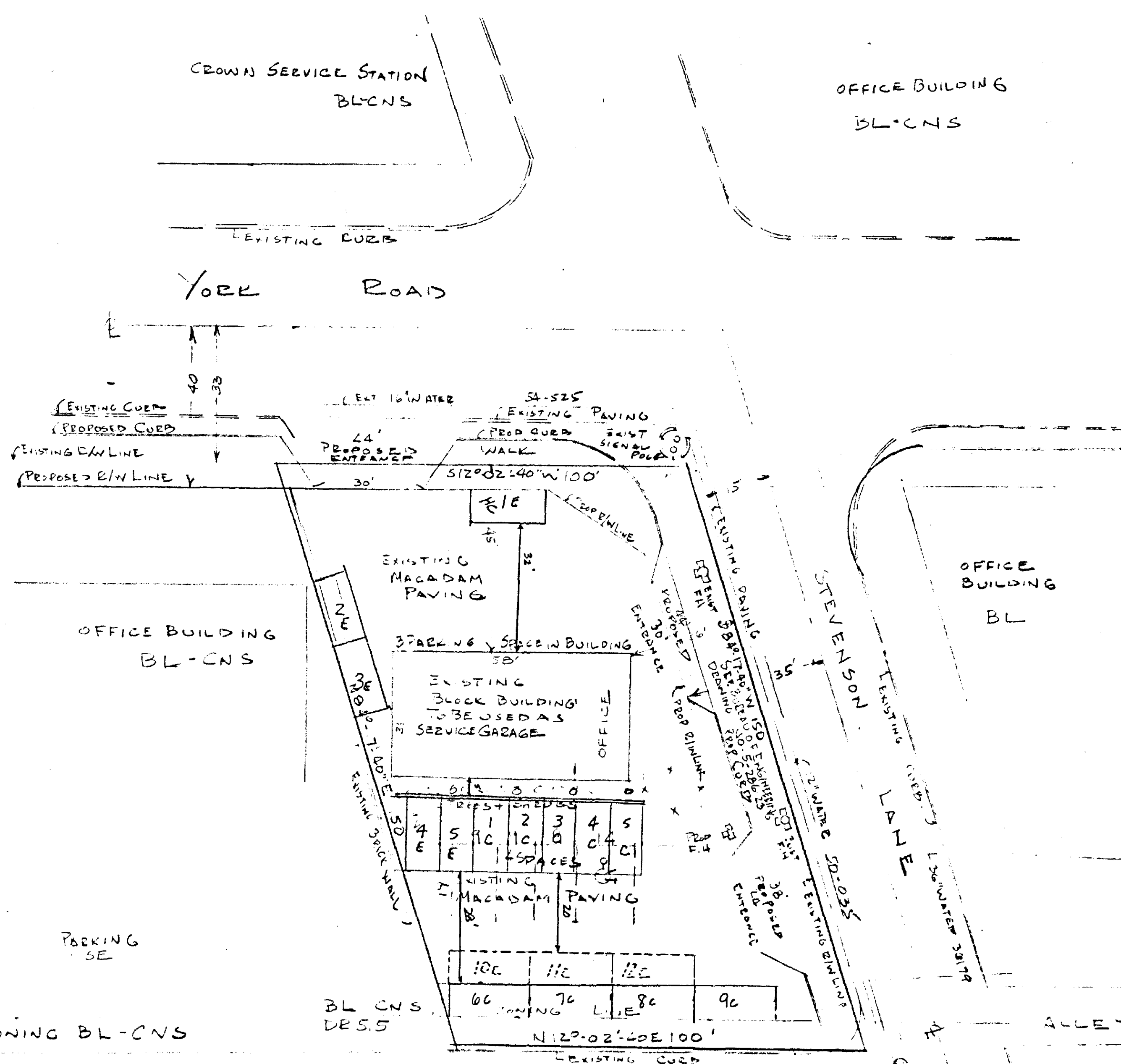
THE JEFFERSONIAN,
 B. Venturi
 Publisher

Cost of Advertising 2400

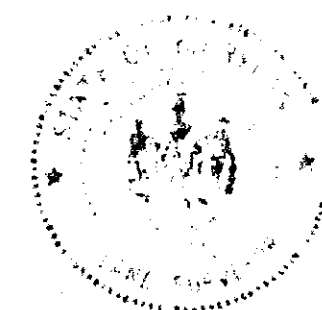
85-45-XSPH
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

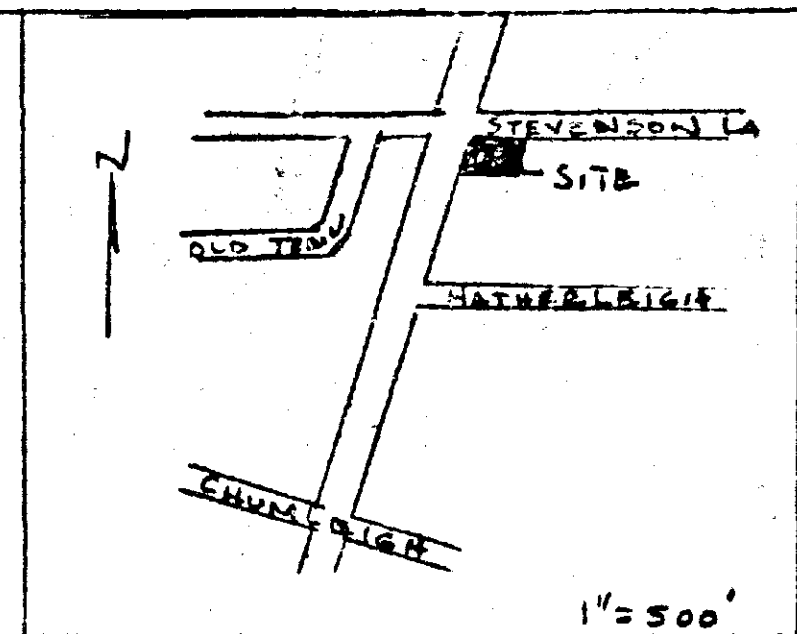
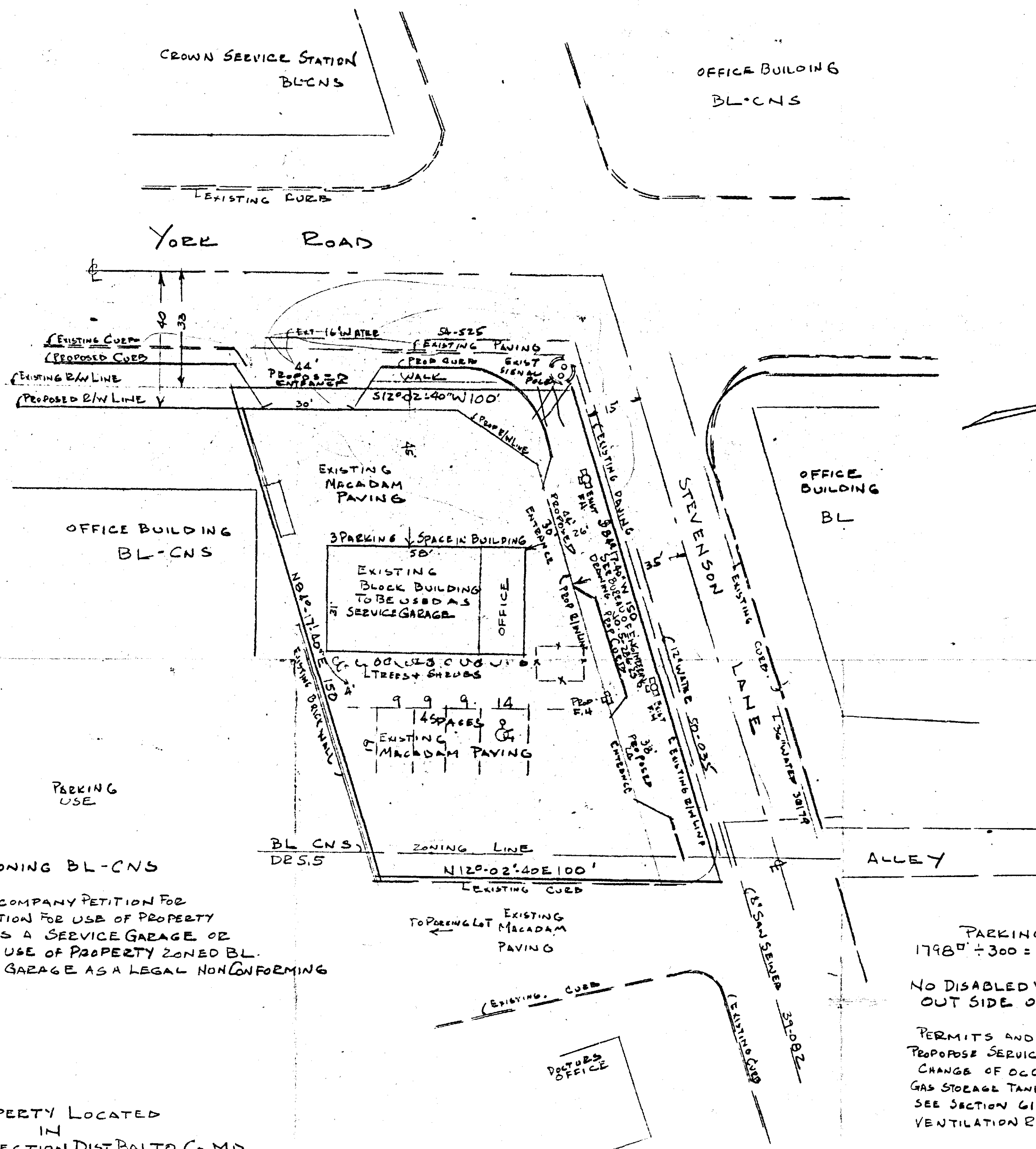
District: 9th Date of Posting: 11/2/84
 Posted for: Elizabeth Baird, et al.
 Petitioner: Elizabeth Baird, et al.
 Location of property: SE corner York Rd & Stevenson Lane, 21212
 Location of Signs: on window of bldg. on Stevenson Lane
 Remarks: 11/16/84 to 11/18/84
 Posted by: Elizabeth Baird, et al. Date of return: 11/9/84
 Number of Signs: 1

85-45-XSPH
 SE corner York Road and Stevenson Lane
 Elizabeth Baird, et al.
 SIGN



REVISED JUNE 29, 1984
SCALE: 1"=20' JUNE 5, 1984
GERHOLD, CROSS & TEEZEL
REGISTERED LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON MD





EXISTING ZONING BL-CNS

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION FOR USE OF PROPERTY ZONED BL AS A SERVICE GARAGE OR APPROVAL OF USE OF PROPERTY ZONED BL AS A SERVICE GARAGE AS A LEGAL NONCONFORMING USE

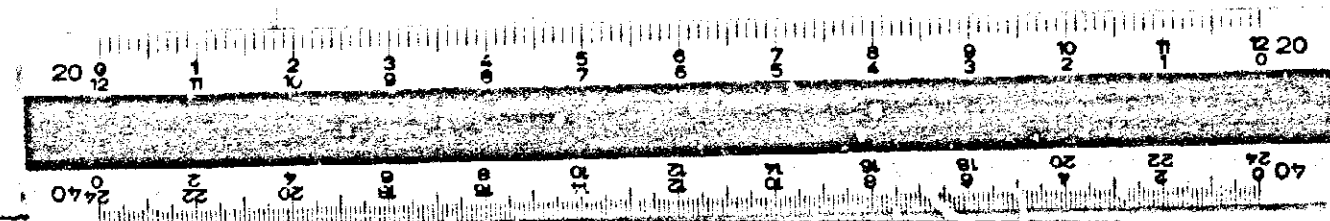
PROPERTY LOCATED IN 9TH ELECTION DIST BALTO CO MD 0.33 ACRE

PARKING
 $1798 \div 300 = 6$ SPACES REQUIRED
 7 SPACES PROVIDED
 NO DISABLED VEHICLES TO BE STORED OUT SIDE OF BUILDING

PERMITS AND LICENSES
 PROPOSED SERVICE GARAGE S-1 USE GROUP
 CHANGE OF OCCUPANCY PERMIT REQUIRED
 GAS STORAGE TANKS HAVE BEEN REMOVED
 SEE SECTION 616 BALTO CO CODE FOR VENTILATION REQUIREMENTS

Handwritten signature and date: 7/11

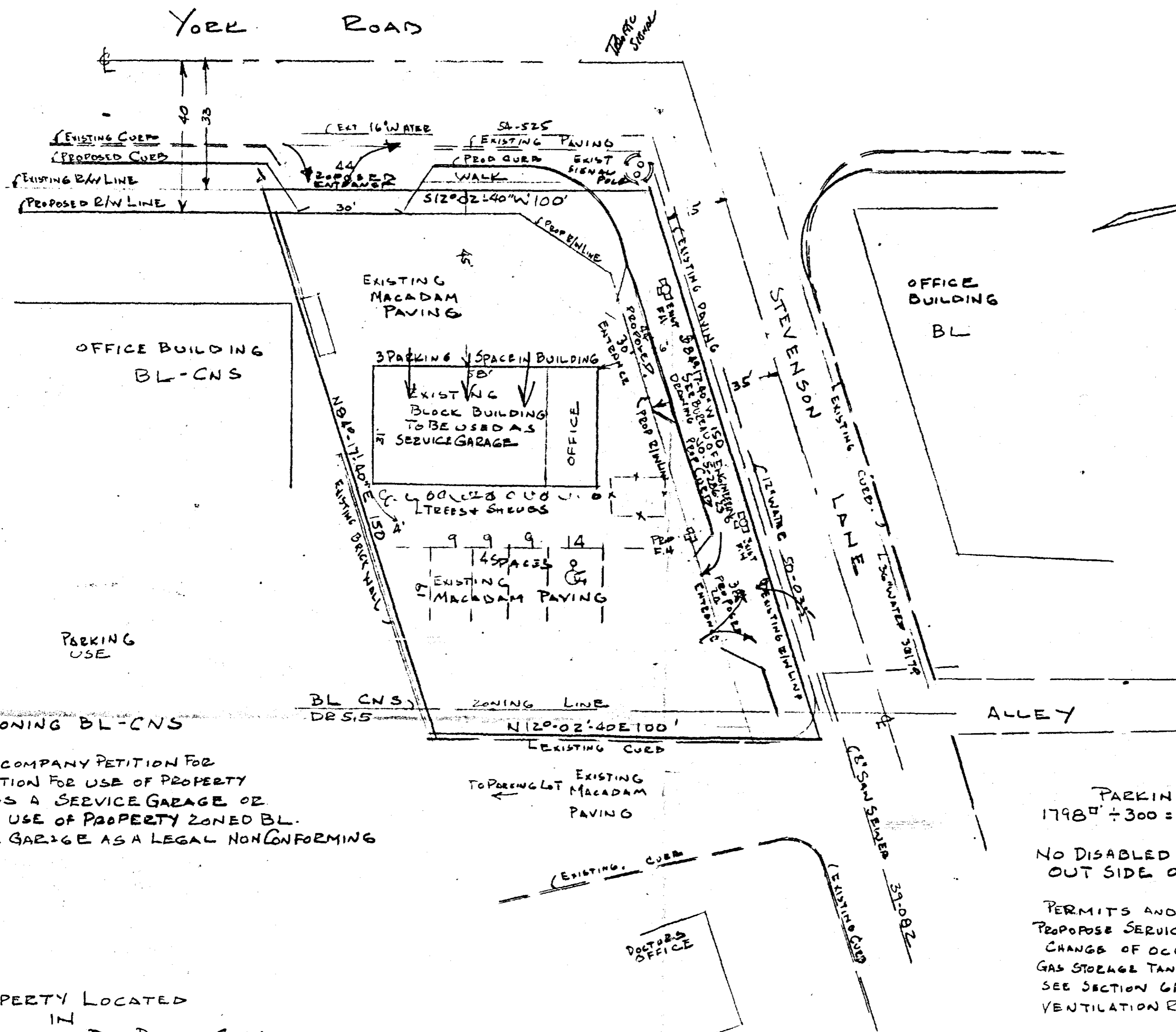
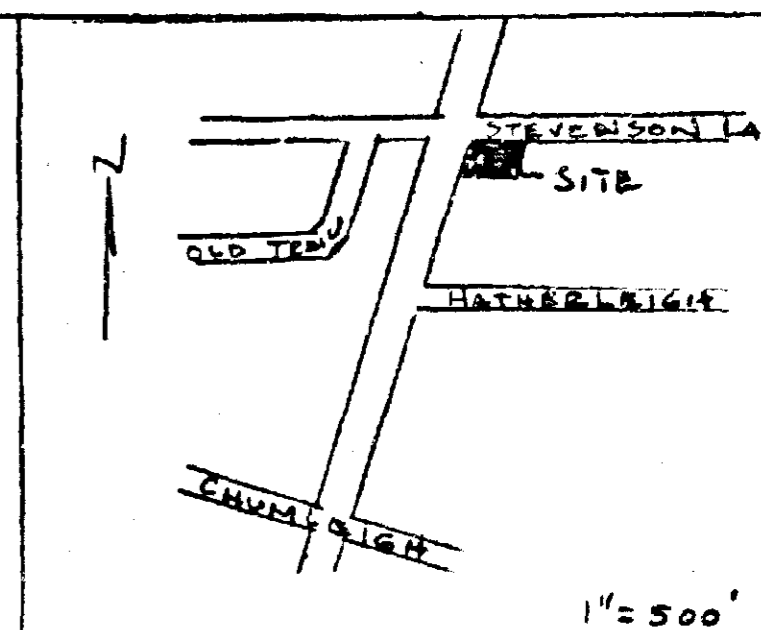
REVISOR JUNE 29, 1984
 SCALE 1"=20' JUNE 5, 1984
 GERHOLD, CROSS & TEELE
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON MD



AMOCO

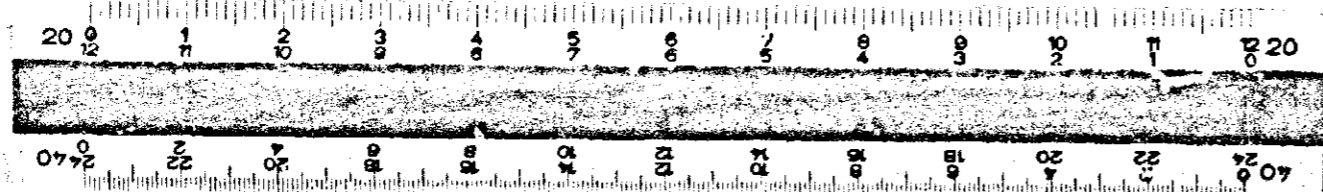
CROWN SERVICE STATION
BL-CNS

OFFICE BUILDING
BL-CNS



PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION FOR USE OF PROPERTY
ZONED BL AS A SERVICE GARAGE OR
APPROVAL OF USE OF PROPERTY ZONED BL
AS A SERVICE GARAGE AS A LEGAL NONCONFORMING
USE

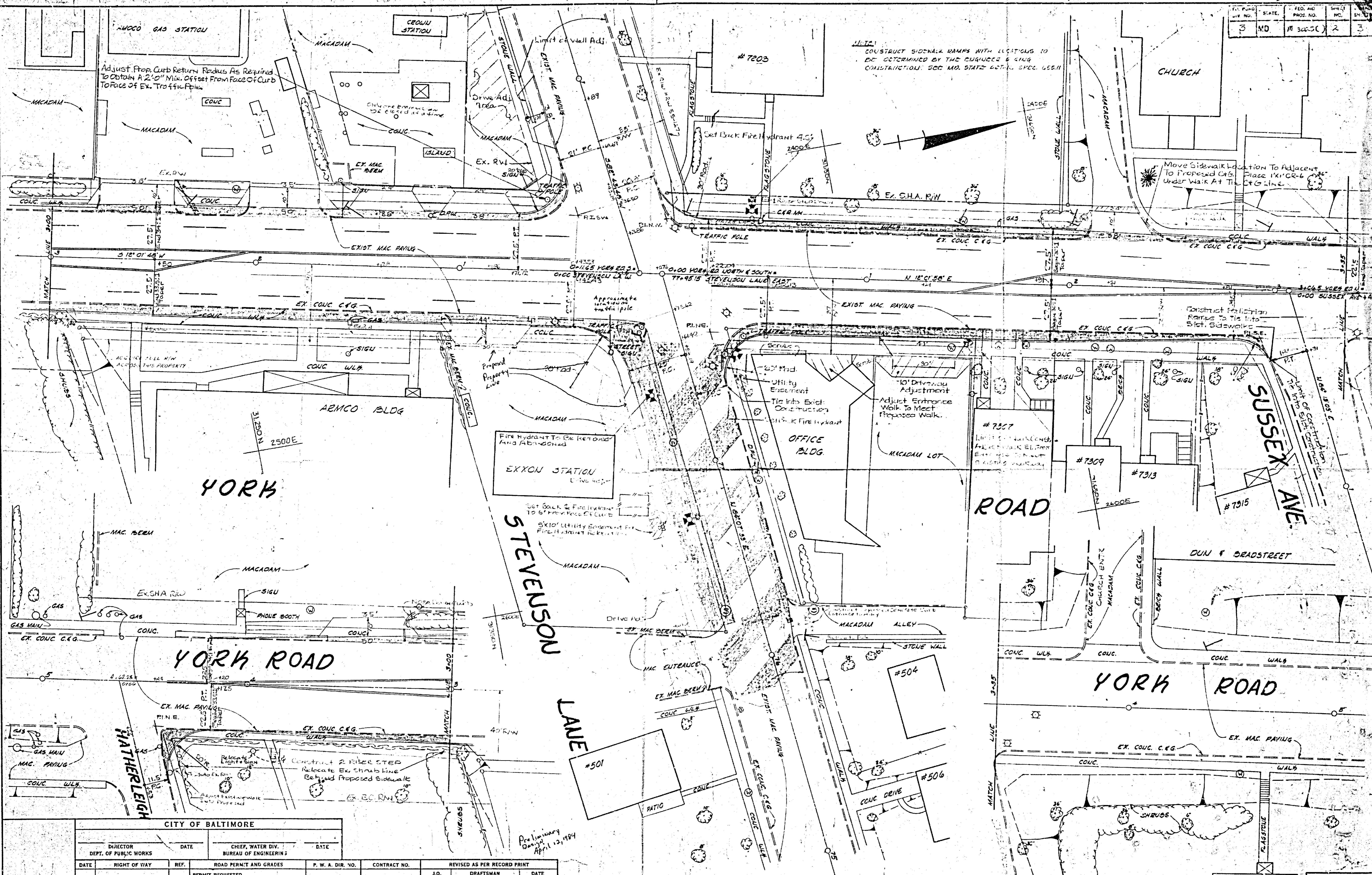
PROPERTY LOCATED
IN
9TH ELECTION DIST. BALTO CO. MD
0.33 ACRE



PARKING
 $1798 \div 300 = 6$ SPACES REQUIRED
7 SPACES PROVIDED
NO DISABLED VEHICLES TO BE STORED
OUT SIDE OF BUILDING

PERMITS AND LICENSES
PROPOSE SERVICE GARAGE S-1 USE GROUP
CHANGE OF OCCUPANCY PERMIT REQUIRED
GAS STORAGE TANKS HAVE BEEN REMOVED
SEE SECTION 616 BALTO CO. CODE FOR
VENTILATION REQUIREMENTS

REvised JUNE 26, 1984
SCALE: 1" = 20' JUNE 5, 1984
GERHOLD, CROSS & TEELE
REGISTERED LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON MD



CITY OF BALTIMORE									
DIRECTOR DEPT. OF PUBLIC WORKS					CHIEF, WATER DIV. BUREAU OF ENGINEERING				
DATE					DATE				
DATE	RIGHT OF WAY	REF.	ROAD PERMIT AND GRADES	P. W. A. DIR. NO.	CONTRACT NO.	REVISED AS PER RECORD PRINT			
			PERMIT REQUESTED			J.O.	DRAFTSMAN	DATE	
			PERMIT NUMBER						
			GRADE ESTABLISHED						
			PROFILE NUMBER						
DESIGNED	BY	DATE	REVIEWED	DATE	APPROVED	DATE	APPROVED	DATE	APPROVED
ENGINEER					CHIEF		DIRECTOR		
CHECKED	DATE	LIC. NO.	DATE		DATE				
BUREAU OF ENGINEERING									
DEPARTMENT OF PUBLIC WORKS									
LEVEL BK. KEY SHEET									
DETAIL BK. POSITION SHEET									
32 LE E									
SCALE									
PLAN: 1" = 20'									
PROFILE: HOR. VERT.									
BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING									
YORK ROAD AND STEVENSON LANE									
INTERSECTION IMPROVEMENTS									
EL. DISTRICT NO. 4									
JOB ORDER NO. 5-286-23									
SHEET 2 OF 2									
DWG. NO.									
FILE:									

we perceive will be encountered on the site. Additionally, we believe that a grading plan must be supplied to satisfy the County that the on site movement of traffic will be safe.

The Board is of the belief that a special exception should be granted in this case with restrictions as listed below. We are of the belief that the use petitioned for herein will not be detrimental to the health, safety or general welfare of the locality involved, and that the standard required by §502.1 of the Baltimore County Zoning Regulations will be met if the property is used consistent with the restrictions enumerated in the Order below.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 9th day of April, 1985, by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

1. A revised site plan must be submitted and approved consistent with Petitioner's Exhibit #3 which shows one access on York Road and one access on Stevenson Lane, including a parking layout and calculations permitting a minimum of ten (10) on site parking spaces, and restricting the placement of an on site freestanding sign at or near the southern boundary of York Road.
2. A grading plan must be submitted and approved to satisfy on site movement of traffic that will occur after the anticipated widening of Stevenson Lane.

3. A landscaping plan, in accordance with the Baltimore County landscape manual, must be submitted and approved.
4. No vehicles may be stored overnight on the site except inside the existing building.
5. The hours of operation shall be restricted from 7:00 A.M. to 7:00 P.M. - Monday through Saturday.

Any appeal from this decision must be in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keth S. Franz, Acting Chairman

LeRoy B. Spier

Diana K. Vincent

I told her that the case had been completed as far as I knew but if you wished her testimony we would get in touch with her. If she did not hear from us she would know that you did not require her any further.

No need to speak with us.
10/1/85 - Hand message to Mr. Duval

IN RE: PETITIONERS SPECIAL EXCEPTION AND SPECIAL HEARING SE/corner York Road and Stevenson Lane - 9th Election District
Elizabeth R. Baird, et al.
Petitioners
BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 85-45-XSPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to determine that the present use of their property is nonconforming or, in the alternative, a special exception for a service garage, as more fully described on Petitioner's Exhibit 1.

The Petitioner, Elizabeth R. Baird, appeared and testified and was represented by Counsel. Also testifying on her behalf were Charles Prediger, Real Estate Director for Sparks Tune-Up (Sparks), a subsidiary of MAACO, Inc., Charles Hawkins, the would-be manager for Sparks, the operation proposed for this site, and John Brown, the present operator of the service garage on the site. Jean Duval and Bernard Brune, residents of the area, along with many others, appeared and testified as Protestants' Exhibit 1.

Testimony indicated that the Petitioners' family has owned the subject property, zoned B.L.-C.N.S., located at the southeast corner of York Road and Stevenson Lane, since 1807. They operated a blacksmith shop from the 1850's until the 1930's, at which time an ice cream store was operated for a brief period. Tire-capping operation and a post office were started in about 1937 and lasted until 1945, at which time the building existing on the site was demolished. In 1946, Esso leased the property from the family and constructed a gasoline service station, for which a special permit was granted, which included a new building containing three bays and an office. The station had one gas

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4. is the current use a drastic enlargement or extension of the original nonconforming use,
McKemy v. Balto. County, 39 Md. App. 257 (1948).

There is a strong presumption of the correctness of the original zones and of comprehensive zoning. Howard County v. Dorsey, 438 A.2d 1339 (1982). There is a presumption of validity that must be accepted. Johnson & Wales College v. DiPietro, 448 A.2d 1271 (R.I., 1982). When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the landowner the least restrictive use of his property. Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981).

Under the original 1945 BCZR, a public service garage and gasoline service station were distinguished. A garage was allowed as of right in a commercial zone while a gasoline service station required a special permit, the equivalent of a special exception. In order to determine whether the conditions delineated above for the continuation of a nonconforming use have been satisfied here, the two must be defined. There is no issue as to the continued use of the property; the issue is whether the discontinuation of the sale of gasoline effectively abandoned the nonconforming use, which had been created by the change in zoning laws which now require a special exception in a B.L. Zone. The definition for a service garage in the current regulations is similar to that found in the 1945 BCZR. Although there is no definition for a gasoline service station in the 1945 BCZR, it is obvious that the County Commissioners, in adopting those ordinances, considered them two separate and distinct entities. Current law defines an automotive service station as "[a] structure or land used or intended to be

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the building would be the addition of a standard facade advertising the new operation. The existing three bays and office would continue to be utilized.

The aim of the business is to have a quick turn-around with an average of 40 minutes service per car. No brake service, mufflers, or tires will be provided. If any cars had to be kept overnight, storage would be inside.

Ms. Duval argued that the estimate of the number of vehicles serviced by Sparks is too low and that, if it is true, the proposed business could not succeed. She believes the number of cars per day would actually be much higher and that there would be a concomitant increase in traffic congestion.

However, on cross-examination, Mr. Hawkins stated that he would make a profit on an average of 17 to 18 cars per day and that the operation would be financially rewarding.

All of the Protestants oppose the change because they feel the new business will generate an increase in an already horrendous traffic situation. They believe that Mr. Brown's garage is a needed use and that the proposed use is not. Ms. Duval testified that Mr. Brown is an excellent neighbor. Jack McDonald testified that the loss of the full service garage operated by Mr. Brown will be a severe loss to the community. He disagreed with the other Protestants and does not believe that Sparks will in any way adversely impact on traffic in the area.

However, J. Harvey Falt, who lives three houses from the site, strongly believes that the new garage will add to the very heavy traffic load on Stevenson Lane. He complained, and rightly, about the number of vehicles using the road in the area and the speed in which they travel, thereby creating imminent danger to residents of the neighborhood. He believes that any new business will attract new potential customers, and this will cause a dramatic increase in traffic congestion as these customers re-enter York Road and/or Stevenson Lane.

The Petitioner seeks relief pursuant to Section 104.1 or Section 230.13, pursuant to Section 502.1, BCZR.

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A nonconforming use is an exception to generally applicable zoning requirements for a previously lawful, existing use. See, generally, 1 Anderson, American Law of Zoning, 2nd Edition, Section 6.01 to 6.73; 3 Rathkopf, The Law of Zoning and Planning, Section 58-1 to 62-18. The government recognizes a nonconforming use in derogation of the general zoning scheme in order to protect the interests of property owners. 1 Anderson, supra, Section 6.02 to 6.07; 3 Rathkopf, supra, Sections 58-1 to 58-3, 61-1. Nevertheless, the ultimate purpose of zoning was and is to reduce nonconformance to conformance as speedily as possible with due respect to the legitimate interests of all concerned. A permissible aim of the zoning regulations is to limit and forbid expansion of a nonconforming use and to forfeit the right to it upon abandonment of the use or the destruction of the improvements housing the use. Grant v. Mayor and City Council of Balto., 129 A.2d 363 (1957). Whether a nonconforming use can be changed, extended, enlarged, altered, repaired, restored, or recommenced after abandonment ordinarily is governed by the provisions of the applicable ordinances and regulations. Feldstein v. LaNale Zoning Board, 227 A.2d 731 (1967). These regulations and ordinances must be strictly construed in order to effectuate the purpose of eliminating nonconforming uses. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948).

In deciding whether a current activity is within the scope of a nonconforming use, the following factors should be considered:

1. to what extent the current use of the property reflects the nature and purpose of the original nonconforming use;
2. is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature, and kind;
3. does the current use have a substantially different effect upon the neighborhood; and

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island with approximately five pumps. Esso operated the station, selling gasoline and repairing automobiles, until 1961. Due to falling gasoline sales, Esso decided not to renew its lease with the Petitioners. The garage and gas pumps were in constant and uninterrupted use from 1946 to 1981. In 1981, Mr. Brown, who had operated the station for Esso since 1963, took over the lease and operated a service garage without the sale of gas.

At this time, the Petitioners wish to lease the site to Sparks for a service garage limited to tune-ups, oil changes, and lubrications. The lease with Mr. Brown will not be renewed.

Ms. Baird testified that the building located on the property now is the exact building constructed by Esso in 1946, at which time, according to her, a special permit was granted for a gasoline service station under Section XIII.E.2, 1945 Baltimore County Zoning Regulations (BCZR). In addition, a public service garage was allowed as a matter of right at that time.

Mr. Brown testified that the primary use of the site has been a gasoline service station, and secondly, used for the repair of automobiles. Since 1981, he has operated exclusively as a service garage, providing a full range of services except for gasoline sales.

Mr. Prediger testified that the marketing survey completed by Sparks showed that there were 44,000 registered vehicles within a two-mile radius of this site and 10,000 within a three-mile radius. Sparks also found that the County traffic count at the intersection is 26,000 vehicles per 24 hours. He indicated that the average number of cars serviced at this site would be 17 to 18 per day, which is the average for the 80 Sparks shops around the country. Mr. Brown testified that he serviced 15 to 20 per day, while providing road service as well. The hours of operation would be 8:00 a.m. to 6:00 p.m., Monday through Saturday. Sparks would not enlarge the existing building. The only exterior change to

used primarily for the retail sale of automotive fuel... It is not difficult to draw a line back to the early regulations and accept the current definition as descriptive of what the Commissioners then intended.

It is true that an ordinance must be interpreted literally when its language is clear and certain. Mongony, supra. It is also true that restrictive language contained in an ordinance must be strictly construed so as to allow a landowner the least restrictive use of his property. Lake Adventure, Inc., supra. The regulations passed by the Council must be construed according to the ordinary and natural import of their language since it is the language of the statutes which constitutes the primary source of legislative intent. Grosvenor v. Supervisor of Assessment, 271 Md. 232 (1974). When statutes are construed, however, results that are unreasonable, illogical, or inconsistent with common sense should be avoided whenever possible and consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707 (1968).

Applying these principles to the issue at hand, it must be concluded that the primary use of the instant property was a gasoline station, which provided mechanical repair services as an accessory use. The testimony of Mr. Brown indicated that the property was primarily a gasoline service station with repairs being secondary. He testified that whatever mechanical repairs were done, the customers were first attracted by the availability of gasoline. Indeed, there was a combination of primary uses on the site; however, even if there were such a combination, the abandonment of one terminates the nonconforming use. It is undisputed that if each use were considered individually, each would be nonconforming, but each cannot be separately considered as it is equally uncontroverted that they were in combination, i. e., dependent on each other. It is

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the totality of the use that must be considered. The sum of its parts, not the parts thereof, determine the legitimacy of the nonconforming use.

For the above reasons, the termination of the gasoline service station ended the nonconforming use, albeit the continuation of the service garage. For a service garage to be the primary use on this site, a special exception is now required pursuant to Section 502.1, BCZR.

The subject property is located within a commercial zone and is surrounded by commercial uses. Sparks is a specific, limited service garage. It does not provide service for engine or transmission problems nor does it do any body or fender work. There will be no storage of damaged or disabled vehicles on the site although a car may be kept overnight for completion. In those instances, the car would be kept inside.

The testimony of the Protestants unfortunately is conflicting. They are satisfied with the service garage now there and oppose the proposed garage although testimony indicated that both will service the same number of cars per day. Even though some Protestants do not believe the estimate given by Mr. Prediger, they offer no evidence to support their contention that the estimate is too low or that any increase will create further congestion on area roads. Regardless of the number of cars serviced by Sparks, which would be limited by the existence of only three bays and the hours of operation, the traffic problem now existing would not be exacerbated to any great extent. The unsupported conclusions of the witnesses that traffic congestion would result, unsubstantiated by specific facts or studies, must be treated as "vague and generalized expressions of opinion which are lacking in probative value". Anderson v. Sawyer, 23 Md. App. 612 (1974). This is not to say that the concerns raised are not important or should not be considered. They are significant issues facing the residential community located adjacent to this commercial zone and should not be ignored by County officials.

However, it is clear that the BCZR permit the use requested by the Petitioner in a B.L. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary commercial uses in the vicinity of the proposed service garage. Therefore, it must be determined whether the conditions delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR. Pursuant to the advertisement, posting of property, and public hearing held and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of September, 1984, that the Petition for Special Exception for a service garage be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following:

1. The hours of operation shall be limited to 8:00 a.m. to 6:00 p.m., Monday through Saturday.
2. No automobiles may be stored or parked overnight on the site except inside the existing building. There shall be no vehicle storage area.
3. A revised site plan showing parking calculations and parking layout must be submitted to the Zoning Office.
4. A landscaping plan, in accordance with the Baltimore County Landscape Manual, shall be submitted for approval to the Current Planning and Development Division, Office of Planning and Zoning.
5. Upon satisfaction of the above, the Petitioners may apply for their building permit and be granted same upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of Baltimore County

cc: Justin W. Brizendine, Jr., Esquire
Jean Duval
Bernard Brune
People's Counsel

RESCHEDULED
PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING

9th Election District
ZONING: Petition for Special Exception and Special Hearing
LOCATION: Southeast corner York Road and Stevenson Lane
DATE & TIME: Monday, September 10, 1984 at 10:15 A.M.
PUBLIC HEARING: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a service garage and Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a legal nonconforming use under Section 104 of the B.C.Z.R. of the subject property as a service garage

Being the property of Elizabeth R. Baird, et al, as shown on plat plan filed with the Zoning Department.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

DATE *Sept 10 1984*
BY *[Signature]*

ORDER RECEIVED FOR FILING

DATE *Sept 10 1984*
BY *[Signature]*

ORDER RECEIVED FOR FILING

DATE *Sept 10 1984*
BY *[Signature]*

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

June 7, 1984

Zoning Description

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the east side of York Road with the south side of Stevenson Lane as shown on the Plat of Stevenson Court which plat is recorded among the Plat Records of Baltimore County in Plat Book G.L.B. No. 24 folio 27 and running thence and binding on the east side of York Road, South 12 degrees 02 minutes 40 seconds West 100 feet, thence leaving said road and running the two following courses and distances viz: North 84 degrees 17 minutes 40 seconds East 150 feet and North 12 degrees 02 minutes 40 seconds East 100 feet to the south side of Stevenson Lane and thence binding on the south side of Stevenson Lane, South 84 degrees 17 minutes 40 seconds West 150 feet to the place of beginning.

Containing 0.33 of an Acre of land more or less.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING
SE Corner York Rd. & Stevenson : OF BALTIMORE COUNTY
Lane, 9th District
ELIZABETH R. BAIRD, et al, Case No. 85-45-XSPH
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 27th day of July, 1984, a copy of the foregoing Entry of Appearance was mailed to Austin W. Brizendine, Jr., Esquire, 406 Jefferson Building, Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

MOORE, CARNEY, RYAN & BRIZENDINE
ATTORNEYS AT LAW
406 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204-4772

July 24, 1984

E. SCOTT MOORE
ROBERT E. CARNEY, JR.
ROBERT J. RYAN
AUSTIN W. BRIZENDINE, JR.

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Case No. 85-45-XSPH
Elizabeth R. Baird, et al

Dear Mr. Jablon:

Please postpone the above-entitled case. I will be out of town on the presently scheduled hearing date (August 14, 1984). I understand it can be re-set sometime in September.

Thank you for your attention to the above.

Very truly yours,
[Signature]
Austin W. Brizendine, Jr.

AWB:jw

cc: Mr. and Mrs. Baird

MOORE, CARNEY, RYAN & BRIZENDINE
ATTORNEYS AT LAW
406 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204-4772

September 5, 1984

E. SCOTT MOORE
ROBERT E. CARNEY, JR.
ROBERT J. RYAN
AUSTIN W. BRIZENDINE, JR.

Mr. Arthur Jablon
Zoning Commissioner, Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 346-Case No. 85-45-XSPH
Corner Stevenson Lane and York Road
Petitioner - Elizabeth R. Baird

Dear Mr. Jablon:

Pursuant to BCZR App. E, IV (c), please issue a summons for the below-named individual to appear and testify as a witness on behalf of the Petitioners at the hearing set in the above-entitled matter on Monday, September 10, 1984 at 10:15 a.m. in the Zoning Hearing Room, County Office Building, Chesapeake Avenue, Towson, Maryland 21204 and designate the undersigned, Austin W. Brizendine, Jr. as the person to serve the summons. Thank you.

John Brown
c/o Dumbarton Auto Repair
Stevenson Lane and York Road
Towson, Maryland 21204

Very truly yours,
[Signature]
Austin W. Brizendine, Jr.

AWB:jw

[Signature]
7/10/84